

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

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POWERTRAIN, INC.,	)
a Mississippi Corporation,	)
	)
Plaintiff	)
	)
v.	)
	)
JOYCE MA, an Individual, and	)
	)
BEST MACHINERY &	)
ELECTRICAL, INC.,	)
a dissolved California Corporation	)
	)
Defendants and Third Party Plaintiffs	)
	)
v.	)
	)
WILLIAM H. SHAWN, an Individual, and	)
	)
SHAWNCOULSON, LLP,	)
a Washington, DC Limited Liability	)
Partnership	)
	)
Third Party Defendants	)

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Case No. 1:11-cv-00105-GHD-DAS

**THIRD PARTY DEFENDANTS' MOTION TO EXTEND TIME TO FILE FOURTH  
PARTY COMPLAINT AND BRIEF IN SUPPORT OF MOTION**

COME NOW Third Party Defendants William H. Shawn and ShawnCoulson, LLP (collectively "Third Party Defendants") and, by counsel, respectfully submit their Motion to Extend Time to file Fourth Party Complaint. In support of their position, Third Party Defendants aver:

1. Magistrate Judge David A. Sanders presided at a telephonic status conference on December 16, 2013. Also present at the telephonic status conference were Plaintiff's counsel, Defendants' Counsel, and William H. Shawn, a Third Party Defendant.
2. Shortly after the telephonic status conference, Magistrate Judge Sanders issued an Order, which, in part, ordered:

The third-party defendant's motion *ore tenus* for leave to file its complaint against the lawyers/firms that allegedly represented the defendant, Ma, in the underlying Powertrain action, is granted. This fourth-party complaint shall be filed within fourteen days of this order and the proposed fourth-party defendants shall be served within twenty-eight days of this order.

3. Third Party Defendants never received a copy of Magistrate Judge Sanders' Order and were unaware of any such dates set in the telephonic status conference.
4. Third Party Defendants and their Counsel, by this Motion, request an Order to Extend Time to File a Fourth Party Complaint, until January 20, 2014.

**WHEREFORE,** Third Party Defendants respectfully request their motion be granted, and that this Court grant such other and further relief as it may find just and necessary. A Proposed form of order is attached.

DATE: January 7, 2014

Respectfully submitted,

/s/William R. Wheeler, Jr.

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Attorney for Third Party Defendants  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 7th day of January, 2014, I served a copy of the forgoing on all counsel of record via ecf.

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**/s/William R. Wheeler, Jr.**



Third Party Defendants have until January 20, 2014, to file their Fourth Party Complaint and the proposed fourth party Defendants shall be served within twenty-eight days of the filing of the Fourth Party Complaint.

ORDERED AND ADJUDGED this the \_\_\_\_\_ day of January, 2014.

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UNITED STATES DISTRICT JUDGE  
UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF  
MISSISSIPPI, EASTERN DIVISION

Copies to:

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